

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

In re:)
)
SCOTT W. DRUMMOND,) **Case #22-11075-KHK**
) **(Chapter 13)**
Debtor.)
)

CONSENT ORDER OF SALE

UPON CONSIDERATION of the Debtor's Motion To Sell Real Property (the "Motion"), filed by the Debtor in this case on November 18, 2022 (DOC 39); and it

APPEARING that the Motion was properly noticed and that the Trustee has filed a response thereto (DOC 41) consenting to the sale on the terms set forth herein, and that the Debtor and the Trustee have agreed to the entry of this Order as evidenced by the endorsements of their undersigned counsel; it is

ORDERED as follows:

1. That the Motion be, and the same hereby is, granted;

2. That the Debtor's residential real estate, legally described in the Legal Description

attached hereto and having the address of 12883 Furnace Mountain Rd., Lovettsville, VA 20180-2413 (the "Property"), shall be sold in accordance with the terms of the Residential Sales Contract (Virginia) and the addenda thereto (together, the "Sales Contract") executed between the Debtor as seller and Shayan Noor and Erica Butkiewicz as buyers for \$850,000;

3. That, as a condition of settlement, all liens and encumbrances that have been filed of record against the Property, including without limitation the deed of trust in favor of U.S. Bank

N.A. as trustee c/o Rushmore Loan Management Services LLC shall be paid in full from the proceeds of sale at settlement and released of record, and the settlement agent is authorized and directed to obtain payoff information from such creditor in order to facilitate the settlement;

4. That the settlement agent is authorized and directed to pay in full from the proceeds of sale, at settlement, the real estate commissions and all other ordinary and appropriate closing costs and prorated charges that arise in connection with the closing on the sale of the Property, consistent with the Sales Contract and existing brokerage agreements;

5. That the settlement agent is authorized and directed to pay \$31,862.67 from the proceeds of sale, at settlement, to "Thomas P. Gorman, Trustee," P.O. Box 1553, Memphis, TN 38101-1553, in order to pay off the Debtor's Chapter 13 plan obligations in full and shall forward a copy of the final settlement statement to the Trustee together with such payment;

6. That the remaining proceeds of sale, net of the foregoing liens and expenses, shall be paid to the Debtor; and

7. That this Order shall be excepted from the stay of F.R.Bankr.P. 6004(h).

Date: Dec 14 2022

/s/ Klinette H Kindred

Klinette H. Kindred
U.S. Bankruptcy Judge

Entered on Docket: December 15, 2022

WE ASK FOR THIS:

/s/Steven B. Ramsdell

Steven B. Ramsdell, VA Bar #33222
Counsel to the Debtor
Tyler, Bartl & Ramsdell, P.L.C.
300 N. Washington St., Suite 310
Alexandria, VA 22314
(703) 549-5003

SEEN AND AGREED:

/s/Thomas P. Gorman

Thomas P. Gorman, Trustee, VA Bar #26421
300 N. Washington St., Suite 400
Alexandria, VA 22314
(703) 836-1113

CERTIFICATE OF ENDORSEMENT UNDER LOCAL RULE 9022-1(C)(1)

I hereby certify that this Order has been endorsed by all necessary parties.

/s/Steven B. Ramsdell

Steven B. Ramsdell

Schedule A/Exhibit A Legal Description

All that certain tract or parcel of land, together with all the improvements thereon and appurtenances thereunto appertaining, situate, lying and being on the west side of Route 665 near Taylorstown, in Catoctin Magisterial District, Loudoun County, Virginia, containing 28.472 acres, more or less, and according to the plat and survey prepared by J. Horace Jarrett, Certified Land Surveyor, dated July 24, 1995 and recorded with Deed in Deed Book 1381 at page 320, is more particularly described by metes and bounds as follows:

Beginning at an iron pipe found on the west side of Route 665, a corner to the property of The Nature Conservancy and Brendan J. Gannon; thence running with the west side of Route 665, S. 42° 44' 11" W. 161.08 feet; thence S. 37° 11' 15" W. 238.29 feet to a pipe, a corner to the property of Jay F. Merchant; thence departing from the west side of Route 665 and running with the line of Jay F. Merchant, N. 48° 25' 47" W. 342.10 feet to a pipe; thence S. 43° 14' 07" W. 354.66 feet to a pipe; thence S. 09° 23' 35" E. 122.84 feet to a pipe in the line of Douglas B. Manigold; thence running with the line of Douglas B. Manigold, S. 80° 36' 35" W. 177.58 feet to a pipe, a corner to Donovan; thence departing from the line of Douglas B. Manigold and running with the line of Donovan, N. 56° 47' 10" W. passing over a pipe at 900.41 feet and continuing on for another 302.62 feet for a total distance of 1,203.03 feet to a point in the center of Catoctin Creek; thence running with the center of Catoctin Creek, N. 25° 43' 56" E. 148.12 feet; thence N. 16° 17' 10" W. 102.96 feet; thence N. 48° 51' 30" W. 57.35 feet to the corner of another tract of land owned by The Nature Conservancy; thence departing from the center of Catoctin Creek and running with the line of the other tract of land owned by The Nature Conservancy, N. 67° 42' 54" E. 210.57 feet to a pipe; thence N. 73° 52' 54" E. 245.00 feet to a pipe; thence N. 89° 05' 54" E. 97.85 feet to a pipe;

PLAINTIFF'S
EXHIBIT

thence S. 87° 39' 36" E. 155.90 feet to a pipe; thence S. 64° 56' 36" E. 105.45 feet to a pipe; thence S. 38° 15' 06" E. 78.45 feet to a pipe; thence S. 47° 53' 36" E. 153.33 feet to a pipe; thence N. 15° 52' 54" E 331.30 feet to a pipe; thence S. 87° 08' 36" E. 444.64 feet to an iron pipe, a corner to the property of Brendan J. Gannon; thence departing the line of the said other tract of land owned by The Nature Conservancy and running with the line of the Brendan J. Gannon property, S. 11° 39' 21" W. 478.05 feet to an iron pipe; thence S. 88° 18' 12" E. 182.86 feet to an iron pipe; thence S. 61° 21' 10" E. 409.08 feet to the beginning, containing 28.472 acres of land, more or less.

TOGETHER WITH AND SUBJECT TO the Outlet Road as recorded in Deed Book 9A, page 158 and Deed Book 7B, page 39.

AND BEING the same property conveyed by Jeffrey W. Wynn and Theresa M. Wynn to Jonathan C. Weintraub and Cathe A. Weintraub by deed dated March 6, 1997, and recorded on March 10, 1997, Deed Book 1488 and Page: 0686.

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